

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:09-CR-302-1FL(4)

FILED
OCT 14 2009
DENNIS P. IAVARONE, CLERK
US DISTRICT COURT, EDNC
BY JA DEP CLK

UNITED STATES OF AMERICA)
)
 v.)
)
 JONATHAN LEIGH SULLIVAN)

INDICTMENT

The Grand Jury charges that:

COUNTS ONE THROUGH ELEVEN

(Manufacture of Child Pornography)

On or about June 22, 2009, in the Eastern District of North Carolina, the defendant, JONATHAN LEIGH SULLIVAN, the defendant herein, attempted to and did employ, use, persuade, induce, entice, and coerce a minor (whose identity is known to the grand jury) to engage in sexually explicit conduct for the purpose of producing the following visual depictions of such conduct:

Count	File Name
1	IMG_1053.JPG
2	IMG_1055.JPG
3	IMG_1056.JPG
4	IMG_1060.JPG
5	IMG_1061.JPG
6	IMG_1062.JPG
7	IMG_1063.JPG
8	IMG_1067.JPG
9	IMG_1068.JPG
10	IMG_1069.JPG
11	IMG_1071.JPG

these visual depictions were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce, each entry in the above table constituting a separate violation of Title 18, United States Code Sections 2251(a) and (d).

COUNT TWELVE
(Possession of Child Pornography)

On or about June 22, 2009, in the Eastern District of North Carolina, JONATHAN LEIGH SULLIVAN, the defendant herein, did knowingly possess one or more matters, that is, electronic media and camera equipment containing digital and computer images, the production of which involved the use of a minor engaging in sexually explicit conduct, and which images visually depicted such conduct. The images were produced using materials which had been mailed, shipped, or transported in interstate and foreign commerce, all in violation of Title 18, United States Code, Section 2252(a)(4)(B).

FORFEITURE ALLEGATION

If convicted of one or more of the offenses set forth above, JONATHAN LEIGH SULLIVAN, the defendant herein, shall forfeit to the United States —

(1) any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of the offense(s);

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense(s); and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s)

— all pursuant to Title 18, United States Code, Section 2253(a).

The forfeitable property includes, but is not limited to:

-A Toyota 4Runner SUV, VIN#JT3HN87R0X0217618.

-Canon PowerShot A590IS Camera

If any of the above-described forfeitable property, as a result of any act or omission of the defendant --

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Sections

2253(o) or 1467(n), whichever may be applicable, to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

Foreperson

Date: 10-14-09

GEORGE E.B. HOLDING
United States Attorney

BY: JOE EXUM, JR.
Assistant United States Attorney
Criminal Division